



The Chemical Company

January 25, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington DC 20423-0001

Re: FD 35087, Canadian National Railway Company and Grand Trunk Corporation control of EJ&E West Company

Dear Acting Secretary Quinlan:

My name is David Eggermann, Manager for BASF Corporation's North American rail traffic movements. I have oversight for approximately 30,000 rail car loads of goods originating from any one of our nearly fifty facilities in the United States, Canada, and Mexico. In this role I am certainly mindful of the risks and benefits that may result from a transaction of this nature, and I am grateful to the Surface Transportation Board for opening this important issue to public comment.

Like many shippers, BASF attaches great value to consistent and reliable rail service. Whether shipping raw materials between our own facilities, or finished goods to our market customers, receiving product on time and when expected, is paramount. Further, a critical component of a movement is the interchange function between two or more railroads, when applicable. The majority of BASF's rail movements do in fact involve such interchanges, with Chicago area junctions in particular accounting for 90 lanes of traffic, involving the Canadian National, and all other Class 1 railroads.

Having worked in Chicago rail yards myself, I know first hand how difficult the area can be. Every major carrier and several regional and shortline operators essentially fight for overlying capacity on a daily basis. The public is angered by ongoing grade crossing blockage, the shipping community by consistent interchange delay.

I have reviewed the Canadian National proposed acquisition of the EJ&E West, and believe that as outlined, their plan offers benefit not only to movements over their own lines, but that it will offer some degree of improvement to the strained Chicago area junctions overall. Further, recent history has shown that Canadian National executes such proposals in a very thorough and professional manner. Communication is clear and complete, artificial timelines do not exist, and shippers generally see only positive operational benefit. BASF is confident that upon completion, this proposal will result in more effective services for the rail shipping community. We recommend that the Surface Transportation Board deliver a decision on the matter to Canadian National's favor.

As a shipper with growing concern over the competitive environment in rail transportation, we do not agree with our railroad partners on all points. When we do see value and sense in a proposal however, we feel it is important to speak out and voice our support. We thank the Board once again for your difficult work on this matter, and appreciate the opportunity to share our views.

Sincerely,

David J. Eggermann
NAFTA Rail Manager

Surface Transportation Board

CN-EJ&E EIS - FD-35087

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